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Message Text

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70
ACTION EUR-12

INFO OCT-01 ISO-00 SAM-01 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 DHA-02 /062 W
---------- 075459
R 101655Z AUG 76
FM AMEMBASSY MADRID
TO SECSTATE WASHDC 6739
INFO AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY BONN
AMEMBASSY ROME
AMEMBASSY DUBLIN
AMEMBASSY THE HAGUE
AMEMBASSY BRUSSELS
AMEMBASSY LISBON
AMEMBASSY COPENHAGEN
AMEMBASSY STOCKHOLM
AMEMBASSY OSLO
US NATO 1082
USEC BRUSSELS

C O N F I D E N T I A L MADRID 6135

E.O.11652: GDS
TAGS: PINT, SP
SUBJECT: COMMENTS ON THE REACH OF THE AMNESTY AND OTHER POLITICAL MATTERS BY THE NEW UNDER SECRETARY OF JUSTICE

1. NEW UNDER SECRETARY OF JUSTICE RAFAEL MENDIZABAL ALLENDE PROVIDED THE FOLLOWING INFORMATION AND COMMENTS ON THE REACH OF THE AMNESTY AND OTHER POLITICAL MATERS IN A CONVERSATION WITH THE DCM ON AUGUST 10.

2. MENDIZABAL SAID THAT THERE HAD BEEN 500 POLITICAL PRISONERS AT THE BEGINNING OF THE AMNESTY OF WHOM AN ESTIMATED 370 WOULD BE RELEASED AS A RESULT OF COURT ACTION UNDER THE CONFIDENTIAL

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AMNESTY. AS OF AUGUST 10, 100 ALREADY BEEN RELEASED

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AND IT WAS EXPECTED THAT THE REMAINING 270 WOULD BE RELEASED
WITHIN TWO WEEKS. IN TIME, HE EVEN EXPECTED MOST OF THE
130 WHO REMAINED IN JAIL TO HAVE THEIR SENTENCES REDUCED
BY FURTHER "INDULTO" THIS COULD NOT BE DONE NOW BUT MIGHT
BE DONE LATER IT TERRORIST ACTIONS DIED DOWN. HE PERSON-
ALLY FELT PSYCHOLOGICAL RESULTS OF SUCH AN ACTION WOULD
BE FAVORABLE AND WOULD JUSTIFY ITS BEING TAKEN.

3. IN ADDITION, MENDIZABAL ESTIMATED THAT SOME 500 PRISONERS
IN JAIL FOR MILITARY REASONS WOULD BE RELEASED, INCLUDING
ABOUT 200 CONSCIENCTIOYS OBJECTORS AND ABOUT 200 DESERTERS.
HE EXPLAINED THAT THE MILITARY HAD DECIDED THAT IT WOULD NOT
BE LOGICAL TO TAKE THE ACTION WITH REGARD TO CONSCIENTIOUS OBJECT-
TORS WITHOUT ALSO SIMILARY ACTING WITH REGARD TO DESERTERS.

4. MENDIZABAL FELT THAT THE AMNESTY HAD BEEN RECEIVED VERY
FAVORABLY. WITH IT OUT OF THE WAY, THE GOVERNMENT NOW WAS
LOGICALLY CONCENTRATING ON ECONOMIC MATTERS AND THE CONSTI-
TUTIONAL REFORM. INTERESTINGLY, HE SAID THAT FORMER
JUSTICE MINISTER GARRIGUES HAD OPPOSED THE PREVIOUS
GOVERNMENT'S PROPOSAL FOR A DETAILED CONSTITUTIONAL REFORM
PACKAGE TO BE THE SUBJECT OF CORTES ACTION AND AREFERENDUM
VOTE. MENDIZABAL HAD WORKED FOR GARRIGUES AS A DIRECTOR
GENERAL, IN THE MINISTRY OF JUSTIC AND HAD HELPED DRAFT A
MORE GENERAL, MUCH LESS DETAILED REFORM PROPOSITION. BUT
IT HAD BEEN REJECTED BY THE ARIAS GOVERNMENT. MENDIZABAL
NOW EXPECTED A GENERAL PROPOSAL SUCH AS THAT PREVIOUSLY ADVI-
CATED BY GARRIGUES TO BE ACCEPTED. THE PRINCIPAL UNDECIDED
QUESTION WAS WHETHER IT SHOULD GO THROUGH THE CORTES PRIOR TO
REFERENDUM OR BE MADE THE SUBJECT OF A "PROSPECTIVE REFERENDUM"
(OTHERS HAVE TOLD US THAT THE GOVERNMENT IS CONSIDERING
A NUMBER OF OPTIONS ON THIS MATTER.

5. MENDIZABAL IS CONFIDENT THAT THE POLITICAL REFORM PROCESS
WILL GO WELL. IN THIS REGARD, HE NOTES THE CHANGE OF TOMNE
BY THE LEFT OPPOSITON, HE CITED THE MORE MODERATE STATEMENTS
OF THE PLATAJUNTA REPORTED IN THE AUGUYT 10 MORNING PRESS AND THE
FACT THAT THE OPPOSITION NOW WAS TALKING ABOUT A RUPTURA
PACTADA, RATHER THAN SIMPLY A "RUPTURA".

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6. MENDIZABAL'S ONE CONCERN WAS THE ECONOMY MIGHT GET
OUT OF HAND TO THE EXTENT OF JEOPARDIZING THE POLITICAL PRO-
CESS. HERE HE AGREED THAT INFLATION WAS THE MAIN CONCERN.
STABLER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AMNESTY, POLITICAL PRISONERS, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MartinML
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MADRID06135
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760308-0244
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760869/aaaacihi.tel
Line Count: 111
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: MartinML
Review Comment: n/a
Review Content Flags:
Review Date: 05 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 APR 2004 by CunninFX>; APPROVED <28 JUL 2004 by MartinML>
Review Markings:

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US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: COMMENTS ON THE REACH OF THE AMNESTY AND OTHER POLITICAL MATTERS BY THE NEW UNDER SECRETARY OF JUSTICE
TAGS: PINT, SP, US, (MENDIZABAL ALLENDE, RAFAEL)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006